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FCAB UPDATE

Week of December 20, 1999

(Last update was dated November 8, 1999)

MEETING SCHEDULE

FERNALD MONTHLY PROGRESS BRIEFING — **Services Building Conference Room**
Tuesday, January 11, 1999, 6:30 p.m.

REMEDIATION COMMITTEE — **Large Laboratory Conference Room**
Wednesday, January 12, 1999, 6:30 p.m.

STEWARDSHIP COMMITTEE — **Large Laboratory Conference Room**
Thursday, January 13, 1999, 6:30 p.m.

FULL BOARD — **The Plantation**
Saturday, January 15, 1999, 8:30 a.m.

PLEASE NOTE: Stewardship and Remediation nights have been switched. The full CAB meeting will be held at the Plantation to accommodate the IAP2 awards ceremony.

Please if you will not be able to attend any meeting, please call the FCAB office and let us know: 648-6478.

ATTACHMENTS

- Preliminary recommendation on Silos
- Agenda for 1/15/00 FCAB meeting
- Draft minutes of 11/6/99 FCAB meeting, **please review and provide comments by 1/3/00**
- Response from DOE on Transportation Recommendations
- News Clippings

NEWS and ANNOUNCEMENTS

- There will be a special celebration lunch on January 15 after the FCAB meeting at the Plantation for the winning of the IAP2 Core Values Award. It is being hosted by Fluor Daniel Fernald. Please plan to attend.

FOR FURTHER INFORMATION

Please contact Doug Sarno, Phoenix Environmental
Phone: 513-648-6478 or 703-971-0058 Fax: 513-648-3629 or 703-971-0006
E-Mail: PhnxEnvir@aol.com or DJSarno@aol.com

PRELIMINARY STATEMENT OF THE FERNALD CITIZENS ADVISORY BOARD ON SILOS 1 AND 2 TECHNOLOGY SELECTION
December 14, 1999

On December 6, 1999, the Remediation Committee of the Fernald Citizens Advisory Board met to discuss its position on the Silos 1 and 2 revised Feasibility Study and pending Proposed Plan. Present were 12 of 14 FCAB members, Fluor Daniel Fernald, and Department of Energy. Several members of the Nevada Test Site CAB attended via conference call. Overall the discussion centered on the issues that were most important to the FCAB in the making of this decision. The Nevada CAB indicated that it would not be able to generate formal comments until mid January, 2000. In order to both provide the DOE with timely input and ensure that the Nevada CAB input was given necessary consideration, the FCAB decided to provide input in two parts. First, the results of the December 6, 1999 meeting provide DOE with an overview of FCAB issues and preliminary recommendations to help in continuing DOE's decision making process. Second, formal recommendations will be developed at the FCAB's January 15, 2000 meeting. While DOE and FDF were present at the December 6, 1999 meeting, the FCAB has summarized the results below to ensure that all parties have the same level of understanding.

Regardless of the technology selected, there are a number of overriding issues that the FCAB feels are important in the implementation of the Silos project. While many of these issues are redundant to the CERCLA nine criteria, our concern is that they be firmly entrenched in the implementation of the project, not just the decision-making. These concerns are listed below. They will be further described in our formal recommendations to be delivered in January, 2000.

- The qualifications and capabilities of the vendor selected
- The volume, treatment requirements, and disposal requirements of secondary wastes
- The ability to minimize the volume of waste and maximize recycling
- The ability to move forward with the project successfully including the implementation and successful completion of the project
- The ability to identify and implement a backup plan, should the primary technology fail
- The overall protection of workers at Fernald, during transport, and at the ultimate disposal site (currently NTS)
- The overall protection of the public at Fernald, during transport, and at the ultimate disposal site (currently NTS)
- The safety of transportation operations
- The long-term stability of the waste form at the disposal location

At the conclusion of the meeting, the FCAB conducted a preliminary vote to understand the direction of the FCAB as to the endorsement of a specific technology. Overall the CAB felt that it was important to provide DOE with an endorsement of a technology to assist in moving the process forward. The FCAB endorsed chemical stabilization by a vote of 9 to 2 with one abstention. The primary reason stated by the majority was the desire to implement a technology that presents the greatest chance of success and allows for recovery from failure while minimizing worker risk. The primary reason for the minority was a strongly held belief that we as a society should do everything possible to minimize the volume of waste produced and the amount of waste requiring transportation.

The FCAB will take a continuing interest and role in the Silos decision and would like to be involved to the maximum extent possible in the process of planning, selecting vendors, and designing the ultimate remedy as these are the activities which will determine success.

FERNALD CITIZENS ADVISORY BOARD

FULL BOARD MEETING AGENDA
Saturday, January 15, 2000

8:00 a.m.	Continental Breakfast
8:30 a.m.	Call to Order
8:30 – 8:45 a.m.	Chairs Remarks and Announcements
8:45 – 9:00 a.m.	2000 Activities and Priorities
9:00 – 10:00 a.m.	Silos recommendation discussion and approval
10:00 – 10:30 a.m.	Status of Fernald Remediation Programs
10:30 – 10:45 a.m.	Break
10:45 – 11:45 a.m.	Presentation on DOE Stewardship Activities, Jim Werner
11:45 – 12:00 p.m.	Review of Stewardship Path Forward
12:00 – 12:15 a.m.	Public Comment
12:15 – 12:30 p.m.	Presentation of the IAP2 Core Values Award
12:30 p.m.	Adjourn
12:30 p.m	Celebration Luncheon hosted by Fluor Daniel Fernald

Draft Minutes from the November 6, 1999 Meeting

The Fernald Citizens Advisory Board met from 8:30 a.m. until 12:15 p.m. on Saturday, November 6, 1999, in the Alpha Building, Hamilton-Cleves Highway, Hamilton, Ohio. The meeting was advertised in local papers and was open to the public.

Members Present	French Bell Jim Bierer Sandy Butterfield Marvin Clawson Jack Craig Lisa Crawford Lou Doll Pam Dunn Darryl Huff Mike Keyes Gene Jablonowski Jane Harper Graham Mitchell Ken Moore Robert Tabor Fawn Thompson Thomas Wagner Gene Willeke
Designated Federal Official	Gary Stegner
Phoenix Environmental Staff	Douglas Sarno Crystal Sarno
FDF Staff	Tisha Patton Sue Walpole

Approximately 20 spectators also attended the meeting, including members of the public, the media, the Silos Independent Review Team, the Silos Critical Analysis Team, and representatives from Department of Energy and Fluor Daniel Fernald.

1. Call to Order

Jim Bierer called the meeting to order at 8:30 a.m.

2. Remarks and Announcements

Bierer asked if there were any announcements.

Susan Brechbill remarked that she believed that the Ohio Field Office had not adequately publicized their successes. In the coming week, a number of delegates from the Ohio Field Office will be in Washington DC meeting with different offices to discuss the many success stories at Fernald.

Doug Sarno announced that the International Association for Public Participation has an annual awards process for programs demonstrating outstanding public participation. John Applegate submitted the Fernald CAB as a nominee, and Fernald has won this years "Organization of the Year" award. This award is a testament to the vision of both the stakeholders and DOE. The award will be presented in Canada on November 17. As no DOE representative will be able to attend, Doug will accept the award on behalf of Fernald and we will plan a local celebration afterward.

Jack Craig provided an update on the cattle grazing issues. DOE is in the process of finalizing new lease with the cattle owner. Fences will be moved and cows relocated from the northern woodlots within the month.

3. Report on SSAB Chairs Meeting

Doug Sarno, Tom Wagner and Tisha Patton attended the SSAB Chairs Meeting, held in Richland, Washington in September. At the Chairs meeting each SSAB chair was able to present their individual concerns to DOE and Tom reiterated the Fernald concerns about holding stakeholder meetings during the week. Secretary Richardson addressed the chairs in a video conference call and Assistant Secretary Huntoon was on hand the day before the meeting to address concerns raised by the Chairs. A significant amount of time was spent planning for the upcoming SSAB's Stewardship Meeting, as well as the DOE guidance to SSABs, trying to clarify and refine the guidance.

Doug noted that it was time for the FCAB to conduct its annual evaluation of workplans, committee structure, and membership guidelines. DOE HQ is getting very strict about membership guidelines. Some SSABs have been waiting for up to six months for new members to be approved. While this has never been a problem for the FCAB, they should be aware of it in the future as they assess member terms and work to install new members. A meeting of the steering committee will be scheduled for January to evaluate these issues.

4. Report on Stewardship Workshop and Next Steps for the Stewardship Committee

Five CAB members were able to attend the SSAB Stewardship Workshop in Oak Ridge, Tennessee in November along with DOE, FDF, and Ohio EPA representatives. Doug was the facilitator for the meeting. The result of this workshop was a series of statements called "Next Steps for Stewardship". It is being left up to individual SSABs as to how they would like to use these statements in crafting site-specific recommendations. The FCAB will be addressing stewardship issues throughout 2000 and come up with a set of specific recommendations for the site.

There will be no committee meetings in December. The next stewardship committee meeting in January will be a scoping meeting for stewardship. The meeting will be used to identify the scope of stewardship issues at the Fernald Site and how they affect remediation. From that meeting the committee will begin to identify what needs to go into a site stewardship plan.

A schedule for the year 2000 will be sent to FCAB members in the next mailing from Phoenix Environmental.

5. Silos Technology Comparative Analysis

Doug Sarno introduced the issue. DOE will be making a decision on the preferred technology to treat materials in Silos 1 and 2 and deliver a draft proposed plan to USEPA by February 1, 2000. DOE has conducted a detailed evaluation of two technologies - vitrification and chemical stabilization and produced a Feasibility Study to document this evaluation. The FCAB Remediation Committee has been meeting with DOE and FDF over the past few months to evaluate the Feasibility Study. There have been two panels working with DOE to evaluate the quality of the Feasibility study and to help assess the silos issue.

The CERCLA process requires DOE to evaluate the options against nine criteria. The most important are: Compliance with Applicable or Relevant and Appropriate Requirements, and Overall Protection of Human Health and the Environment. Both technologies satisfy the requirements of these two threshold criteria. The next criteria are referred to as balancing criteria: long term effectiveness and permanence, reduction of toxicity, mobility, or volume through treatment, short term effectiveness, implementability, and cost. While there are many differences between the technologies, Remediation Committee members did not believe that there are clear winners and losers in any of the categories. Overall, Remediation Committee members believe that reduction in volume and implementability were the main factors where significant differences existed upon which an evaluation could be developed. The volume of material from stabilization is much higher than for vitrification, while implementability seemed to favor chemical stabilization. Overall, as far as the Remediation committee is

concerned, the scales appear basically balanced. Finally, two modifying criteria must be taken into account: community and state acceptance.

The goal of this meeting is for the CAB to determine how to make its recommendations regarding this issue.

Terry Hagen of Fluor Daniel Fernald led a presentation on the benefits and drawbacks of both vitrification and chemical stabilization. The feasibility study provides an evaluation of each technology against each of the CERCLA criteria. These results were summarized for the FCAB.

Steve McCracken of the DOE Critical Analysis Team was asked about the conclusions of the Team. CAT members individually conducted their own analysis and then discussed those analysis among each other. The analyses ended up very similar. There are four points that CAT members felt were most important in assuring the success of the technology that is ultimately implemented. First is the overall capability of the Vendor, regardless of the technology. Second is DOE's and FDF's ability to manage the project. Third is the success or failure of the Silo 3 project and Accelerated Waste Retrieval project, how these projects go will greatly impact the ability to finish the overall job. Fourth is the use of the labor force, concern was expressed that the current contractual agreements has Fernald workers working for someone to which they do not report.

Todd Martin of the Independent Review Team also agreed that implementability was the most important criteria in developing a preferred alternative. The IRT evaluated the risks associated with achieving the project's objectives. On the highest level, there are significant risks with each technology but they are different. For Vitrification, there will be difficulty dealing with off gasses and a high temperature environment. For Chemical Stabilization, the remote operations and the ability to achieve desired waste loadings will be an issue.

The IRT recommendations concentrated on two themes. First, get on with the project, the process of redoing the Feasibility Study with another year to go before a ROD is signed is taking too long. Second, provide flexibility in the ROD so that alternatives are available to deal with the very real likelihood of failure without going through this process again. Martin noted that if the IRT had to vote on which technology to select, they would come down right on the fence, it really comes done to an issue of what you value most.

It was noted that secondary waste is going to be a big problem with both technologies.

Lisa Crawford pointed out that when there is the public meeting, the most important issue – by far, will be public health and safety. She also stressed that the CAB and agencies involved really listen to the Nevada stakeholders to be sure they understand what is important to them.

Don Paine of FDF pointed out that with vitrification there was a greatly increased chance of worker injury or death. Neither process would be easy, but vitrification was far more complex and his vote would be to Keep It Simple.

French Bell commented that the public would be very likely to inquire about worse case scenarios.

Ken Moore asked when in the public involvement process does the CAB make a recommendation. Doug Sarno said that input was necessary as soon after the December 1 availability session as possible, work on drafting the proposed plan is about to get underway. It was decided to hold a Remediation Committee meeting on December 6th at 6:00 pm. All FCAB members are strongly encouraged to attend the meeting.

6. Public Comment

Bierer opened the floor to public comment. There was none.

7. Adjournment

Jim Bierer adjourned the meeting at 12:15 p.m.

I certify that these minutes are an accurate account of the November 6, 1999, meeting of the Fernald Citizens Advisory Board.

_____

James Bierer, Chair Date
Fernald Citizens Advisory Board

_____

Gary Stegner Date
Deputy Designated Federal Official

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Department of Energy
Germantown, MD 20874-1290

DEC - 8 1999

Mr. Thomas Wagner
Transportation Workshop Chair
Fernald Citizens Advisory Board
P.O. Box 544
Ross, Ohio 45061

Dear Mr. Wagner:

With reference to the DOE Site-Specific Advisory Board Transportation Workshop in Cincinnati, Ohio, during May 20-23, 1999, and our subsequent communications, we have completed our review of the Stakeholder Statements from that meeting.

I appreciate the effort required of workshop participants to develop these Stakeholder Statements. The Stakeholder Statements were distributed to all members of the Department's Senior Executive Transportation Forum for review and comment. The Forum is comprised of senior-level departmental officials from all DOE programs involved in the transportation of radioactive materials and waste.

Enclosed are the Department's responses to the Stakeholder Statements. These Stakeholder Statements will be given additional consideration by departmental officials during transportation planning and implementation and as we continue to develop Departmental transportation protocols.

Again thank you for an outstanding workshop. If you have any questions or concerns, please contact Ms. Tracy Mustin, Director, Office of Transportation, 202-586-2676.

Sincerely,

David G. Huizenga
Chair
Senior Executive Transportation Forum

Enclosure

cc:
Site-Specific Advisory Board Chairs
Site-Specific Advisory Board Administrators
Site-Specific Advisory Board Federal Coordinators
Senior Executive Transportation Forum

bcc:
M. Williams, AL
M. Jones, AL
F. Holmes, ID
M. Taylor, ID
J. Klaus, CAO
M. Klimas, CH
K. Grassmeier, NV
R. Claverie, OAK
D. Lee, OH
B. Lester, OR
M. Maline, RF
D. Claussen, RL
R. McLain, SR

US Department of Energy
Draft Response to
1999 SITE SPECIFIC ADVISORY BOARD (SSAB) TRANSPORTATION WORKSHOP STAKEHOLDER STATEMENTS

SSAB TRANSPORTATION WORKSHOP STATEMENT 1

Routes for radioactive materials and waste should be pre-negotiated using a model that allows for:

- *The identification of proposed routes by DOE based on a comprehensive risk analysis that considers radiological and non-radiological hazards;*
- *An opportunity for states, Tribal nations, local governments, and the public to review and propose alternative routes;*
- *Future changes in route alternatives and infrastructure using the model;*
- *Consideration of existing routes based on safety and cost.*

This should not interrupt existing shipments.

Response

While the Department of Energy (DOE) recognizes the importance of working closely with States and Tribes on all aspects of preparation for a shipping campaign, DOE must follow US Department of Transportation (DOT) regulations for shipments of radioactive materials in the same manner as commercial shippers and carriers. DOT regulations for non-radioactive hazardous materials are contained in Title 49, Code of Federal Regulations, Part 397, Subpart C (49 CFR 397 - Subpart C) and the regulations for routing of class 7 (radioactive) materials are contained in 49 CFR 397 - Subpart D. "A preferred route is an Interstate System highway...; a state-designated route...; or both of the above."

Further, 49 CFR 397 - Subpart D provides the regulatory requirements that carriers must follow for any "motor vehicle that contains a Class 7 (radioactive) material...for which placarding is required." This subpart also contains "requirements for State routing designations." Among other requirements, "the State routing agency shall select routes to minimize radiological risk..."

The DOT regulations give States the authority to designate alternate routes. In issuing guidance on how States are to use this authority, DOT has mandated "(State) Designations must be preceded by substantive consultation with affected local jurisdictions and with any other affected States to ensure consideration of all impacts and continuity of designated routes."

Where significant Federal actions are involved, the National Environmental Policy Act (NEPA) requires a comprehensive evaluation of the environmental impacts of the proposed action. This evaluation includes transportation impacts of the proposed action and potential alternatives. The public is provided an opportunity to comment at several stages during this evaluation process.

DOE's Senior Executive Transportation Forum (SETF) has established a transportation protocols working group to standardize as much as possible, approaches and procedures for shipment of DOE materials. Routing and notification protocols are included among the protocols being developed and will consider the issues and concerns raised regarding selection of transportation routes.

These draft materials will be shared with Stakeholders as they are developed.

SSAB TRANSPORTATION WORKSHOP STATEMENT 2

DOE must not predetermine a specific mode. In selecting a mode, DOE should consider the local community impacts, community impacts along the corridor, and environmental justice. Alternative modes should be considered based on risk analysis and life cycle costs and benefits.

Response

The Department agrees in general with this statement. The transportation protocols working group will consider whether to recommend development of a standardized protocol for mode selection. All modes are considered safe and modal choices are generally made for reasons other than safety, such as cost, infrastructure availability and capability and time considerations.

SSAB TRANSPORTATION WORKSHOP STATEMENT 3

In order to enhance safety and to save time and money:

- *The container system for the transportation of radioactive materials and waste should be standardized as much as possible within the waste acceptance criteria at the destination site or facility.*
- *Transportation protocols should be standardized whenever possible, irrespective of mode (truck, rail, or intermodal).*

Response

The Department agrees in general with this statement. A Container Working Group (CWG), set up under the DOE Senior Executive Transportation Forum developed recommendations on possible standardization of waste containers. This statement has been referred to the CWG for its consideration in developing the guidance. At the same time, however, it must be understood that radioactive materials are not uniform in size, shape or radioactive content. Hence, different packagings will always be necessary to ensure worker and public safety.

On the second point, the transportation protocols working group, under the Senior Executive Transportation Forum, is developing a standard set of transportation protocols for DOE shipments. The goal is to have all DOE programs, to the extent possible, operate under standard practices or protocols for all aspects of materials transportation.

SSAB TRANSPORTATION WORKSHOP STATEMENT 4

The risk associated with the transportation of radioactive materials and waste should be estimated using up-to-date, independently validated methods. For purposes of education, the public should be encouraged to be actively involved from the beginning. The methods for assessing the risks of radioactive materials and waste transportation and the estimated risks should be communicated comprehensively to the public, especially along the corridors/routes.

Response

The Department agrees in general with this statement. We use many mechanisms to communicate with the pubic, including meetings and workshops, brochures and fact sheets and web sites. The Department also recognizes and supports the need to assure independent peer reviews and evaluations of the many databases and computer models employed by DOE in developing NEPA documentation and specific transportation risk analyses. In fact, DOE plans to undertake comprehensive peer and readiness reviews of the databases and models used in modal, route, and risk analysis for the transport of radioactive material.

DOE has become a national leader in developing several computer models, including HIGHWAY, INTERLINE, and RADTRAN and is participating in development of an international risk analysis tool (INTERTRAN) as part of our commitment to improved routing and risk analysis capabilities. These initiatives have been led by DOE's national laboratories, including Oak Ridge, Sandia, Pacific Northwest, and Argonne National Laboratories. In addition to these DOE-sponsored routing and risk analysis efforts, several private sector initiatives (i.e., H&R Technical Associates, etc.) are also underway.

SSAB TRANSPORTATION WORKSHOP STATEMENT 5

During the conceptual stages of planning, DOE should begin a dialogue with the public, Tribal nations, and other impacted parties whenever developing policy initiatives, planning, and other implementing activities for the transportation of radioactive waste and materials. This dialogue must be continued throughout the decision-making process.

Response

The Department agrees in general with this statement. This is consistent with the Department's National Environmental Policy Act activities and outreach efforts to stakeholders concerning DOE materials transport. DOE has traditionally worked through Regional Governors Associations and state emergency preparedness organizations. In addition, we are pleased that several new avenues for improving communications between the DOE and its stakeholders are opening through various intergovernmental groups and site advisory boards. The Transportation External Coordination Working Group (TEC/WG), which is an excellent forum for sharing ideas and networking is being refocused with a view toward making it more substantive as a public forum on transportation issues.

SSAB TRANSPORTATION WORKSHOP STATEMENT 6

With regard to the transportation of radioactive waste and materials, DOE should facilitate partnerships to develop and implement two-way educations and information sharing with and among:

- *The public;*
- *Tribal nations;*
- *Educational institutions and officials;*
- *Federal, state, and local agencies, and both elected and other officials;*
- *The media;*
- *DOE Headquarters, Field Offices, and Sites.*

To better facilitate these partnerships, it is especially important for DOE Headquarters, Field Offices, sites, and programs to communicate effectively with and among each other.

Response

The Department agrees. We hope the Senior Executive Transportation Forum and the transportation protocols effort will help the Department communicate more consistently through the DOE complex. With better internal communication and cooperation, we also hope to improve the dialogue process with affected states, tribes, and other stakeholders.

SSAB TRANSPORTATION WORKSHOP STATEMENT 7

Should an incident or event occur during a radioactive materials or waste shipment, the availability of a professionally trained and well-equipped emergency response teams is vital. DOE and other entities, such as states, Tribal nations, and local governments, should provide appropriate funding and other resources earmarked for emergency response programs along the transportation corridors.

Response

The Department agrees the availability of trained emergency response teams is an important issue. For the past several years, DOE has been working with states, tribes and local governments and professional organizations to develop a consensus on the needs and strategies for assuring responders along specified transportation corridors were well trained and prepared to deal with incidents involving DOE shipments of radioactive materials. The Transportation Emergency Management Program (TEPP) will assist DOE and other federal, state, tribal, and local authorities to prepare for response to a transportation incident involving DOE shipments of radioactive materials.

TEPP provides planning and training tools for use by states and tribes to address emergency preparedness needs. These tools provide a standardized approach to transportation emergency preparedness planning for radioactive materials. The planning tools are to be used by State, Tribal, or local officials to assess their emergency preparedness programs for response to transportation incidents involving radioactive materials.

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In addition to the planning tools, DOE has completed development of a series of modules that can be used to augment existing State radiological training courses or as a stand-alone course. The Modular Emergency Response Radiological Transportation Training (MERRTT) program was developed in a modular design. The training is separated into small, concise and easy to understand modules which can be integrated into existing programs for hazardous materials training. MERRTT was specifically designed to provide facilitated (instructor-led) and self-study training. MERRTT is intended for responders who have had hazardous materials response training up to, and including, those trained to the technician level. The first responders' needs during an emergency were carefully considered during the development of MERRTT. The modules are easy for responders to follow and understand. MERRTT is currently being distributed to States and Tribes through the TEPP Coordinators within the eight Regional Coordinating Offices. The TEPP Coordinators will be conducting TEPP Regional meetings to assist the States and Tribes in implementing the TEPP planning tools and training.

More information on the planning and training tools can be found at http://www.em.doe.gov//otem/.

DOE has also been working with the National Fire Protection Association (NFPA) to raise existing NFPA standards for training and equipment for managing radioactive materials.

SSAB TRANSPORTATION WORKSHOP STATEMENT 8

DOE, in conjunction with states and Tribal nations, should develop notification protocols for the transportation of radioactive materials and waste and for shipping incidents or accidents. The states are urged to establish standardized procedures for subsequent notification to appropriate local governments. Notification should be tailored to correlate with the level of hazard of the materials shipped. DOE should take advantage of the best available technologies to facilitate uniform and universal notification.

Response

DOE follows DOT regulations concerning notifications. We recognize; however, that the process can and should be improved. Pre-notification and emergency notification protocols are under development through the Senior Executive Transportation Forum protocol writing group. We will share these draft protocols with stakeholders for their comments in the near future.

The writing group will continue to consider the SSAB Transportation Workshop statements as it proceeds with protocol development, and DOE will continue to work with stakeholders and regulators to improve communications approaches and processes.